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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/666,583	09/21/2000	William C. Dalrymple	7000-027	7538
27820	7590	09/09/2004	EXAMINER	
WITHROW & TERRANOVA, P.L.L.C. P.O. BOX 1287 CARY, NC 27512			DUONG, OANH L	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

(JL)

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/666,583	DALRYMPLE ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Oanh L. Duong	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 20 May 2004.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 17 is/are allowed.
- 6) Claim(s) 1-16 and 18-36 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

***Response to Arguments***

1. Applicant's arguments filed 05/20/2004 have been fully considered but they are not persuasive.

In the remarks, applicants argued in substance that:

(A) Prior art does not teach "send the information as part of the pre-existing real-time communication session".

As to point (A), Jacobs does teaches sending the information as part of pre-existing real-time communication session (i.e., in a CoWeb session... if a user switches from document A to document B, all cooperating users automatically perform the same switch, page 7 section 3.2.3).

(B) In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to have utilized the SIP of Burg in the process of synchronizing of web browsers

in Jacobs because such SIP would enable generic communication sessions to be set up, torn down, and modified, thereby increasing the flexibility of the system.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Allowable Subject Matter***

2. Claim 17 is allowed.

***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 8-10, 12-14, 18-31 and 33-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Jacobs et al. (Jacobs) (Filling HTML Forms Simultaneously: CoWeb - Architecture and Functionality).

Regarding claim 1, Jacobs discloses a computer readable media containing software for facilitating synchronization of web browsers (fig. 2, abstract), said software instruction for computer to automatically identify location indicia for a first web page loaded by an associated browser during a real-time communication session (i.e., CoWeb session) (page 7 lines 14-16) and send (communication) the location indicia for the first web page over a network for loading on a remote browser running on a remote computer as part of the real-time communication session (page 4 section 3.1, and page 7 lines 9-13 and section 3.2.5).

Regarding claim 2, Jacobs discloses receive location indicia for a second web page loaded by the mote browser running on the remote computer; and effect loading of the second web page on the associated browser based on the location indicia for the second web page (page 7 lines 14-16).

Regarding claim 3, Jacobs discloses query a user of the associated browser whether to send the location indicia for the first web page for loading on the remote browser; receive a response to the query; and if the response is affirmative, send the location indicia for the first web page for loading on the remote browser (page 7 lines 14-16).

Regarding claim 4, Jacobs discloses upon receiving the location indicia for the second web page, query a user of the associated browser whether to load the second web page; receive a response to the query; and if the response is affirmative, effect loading of the second web page on the associated browser (page 7 section 3.2.5).

Regarding claim 5, Jacob discloses instructions to send the location indicia for the first web page over the network for loading on a plurality of remote browsers (page 7 lines 32-37).

Regarding claim 6, Jacobs discloses to configure the associated browser to provide the location indicia for the first web page upon loading the first web page (page 7 lines 14-16).

Regarding claim 8, Jacob discloses to implement the associated browser wherein the associated is configured for web browser synchronization (page 5 section 3.1.3).

Regarding claim 9, Jacobs discloses a computer readable media containing software for implementing a web browser interface device facilitating synchronization of web browsers, said software (fig. 2, abstract) said software comprising instructions for computer to: during a real-time communication session (i.e., CoWeb session) receiving from an associated browser location indicia for a first web page loaded by the associated browser (page 5 section 3.1.3 and page 7 lines 14-16); sending the location indicia for the first web page over a network for loading on a remote browser running on a remote computer as part of the real-time communication session (page 5 section 3.1.3); receive location indicia for a second web page loaded by the remote browser running on the remote computer (page 5 section 3.1.3 and page 7 lines 14-16); and instruct the associated browser to load the second web page on the associated browser based on the location indicia for the second web page (page 5 section 3.1.3 and page 7 lines 14-16).

Regarding claim 10, Jacobs discloses configure the associated browser to provide location indicia for a web page for sending to the remote browser, the web page initially selected by a user of the associated browser and loaded by the associated browser (page 5 section 3.1.3 and page 6 section 3.2.3); configure the associated browser to receive and load the web page initially selected by a user of the remote browser upon receiving the location indicia for the web page initially selected by the user of the remote browse, wherein the first web page is a web page initially selected by a user of the associated browser and the second web page is a web page initially selected by a user of the remote browser (page 5 section 3.1.3 and page 7 lines 14-16).

Regarding claim 12, Jacobs discloses communication session is established with a web interface device running in association with the remote browser on the remote computer (page 4 section 3.1).

Regarding claim 13, Jacobs discloses communication session is established with the remote browser on the remote computer (fig. 2 section 3.1).

Regarding claim 14, Jacobs discloses interaction with the associated browser is conducted via an application protocol interface (Co Web client) (fig. 2).

Regarding claim 18, the same rationale as applied to claim 9.

Regarding claim 22, a system of claim 22 has a corresponding computer readable media of claim 18; therefore, claim 22 is rejected under the same rationale as applied to claim 18.

Regarding claims 19 and 23, the same rationale as applied to claim 3.

Regarding claim 20, the same rationale as applied to claim 4.

Regarding claim 21, the same rationale as applied to claim 5.

Regarding claim 24, claim 23 performs the same function as claim 24 in a reverse order; therefore, the claim 24 is rejected under the same rationale as applied to claim 24.

Regarding claim 25, a system of claim 25 has a corresponding computer readable media of claim 9; therefore, claim 25 is rejected under the same rationale as applied to claim 9.

Regarding claim 26, the same rationale as applied to claim 19.

Regarding claim 27, the same rationale as applied to claim 4.

Regarding claim 28, a method of claim 28 has a corresponding system of claim 25; therefore, claim 28 is rejected under the same rationale as applied to claim 25.

Regarding claim 29, the same rationale as applied to claim 26.

Regarding claim 30, the same rationale as applied to claim 27.

Regarding claim 31, the same rationale as applied to claim 5.

Regarding claim 33, a method of claim 33 has a corresponding system of claim 9; therefore, claim 33 is rejected under the same rationale as applied to claim 9.

Regarding claim 34, the same rationale as applied to claim 10.

Regarding claim 35, the same rationale as applied to claim 33.

Regarding claim 36, a system of claim 36 has a corresponding method of claim 35, therefore, the same rationale as applied to claim 35.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 16, 7, 11, 15 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobs in view of Burg et al. (Burg) (2003/0061354 A1).

Regarding claim 16, Jacobs does not explicitly teach session initiation protocol (SIP).

Burg teaches incorporate the received location indicia for the first web page in an invite message wherein the instructions to send the location indicia for the first web page over the network send the invite message to the remote computer using session initiation protocol (page 5 paragraphs 0100-0104). It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to have utilized the SIP of Burg in the process of synchronizing of web browsers in Jacobs because such SIP would enable generic communication sessions to be set up, torn down, and modified, thereby increasing the flexibility of the system.

Regarding claims 7, 11 and 32, Jacobs-Burg teaches real-time communication session comprises a voice call (Burg, page 3 paragraph 48).

Regarding claim 15, Jacobs-Burg teaches API (Burg, page 2 paragraph 47).

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh L. Duong whose telephone number is (703) 305-0295. The examiner can normally be reached on Monday- Friday, 8:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

O.D

September 6, 2004

*M. Alam*  
HOSAIN ALAM  
SUPERVISORY PATENT EXAMINER